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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS PRELIMINARY DEPLOYMENT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

I. INTRODUCTION

1. In connection with the signing of the Lusaka ceasefire agreement for the Democratic Republic of the Congo on 10 July 1999 by the representatives of the six concerned States, I think it necessary to set forth the implications for the United Nations and to make recommendations to the Security Council accordingly concerning preliminary action that the United Nations could take. It is my hope that the rebels will sign the agreement without further delay and that it can then be implemented promptly and in full.

II. PROVISIONS OF THE CEASEFIRE AGREEMENT

Scope of agreement

2. On 10 July 1999, at Lusaka, the Heads of State of the Democratic Republic of Congo, Namibia, Rwanda, Uganda and Zimbabwe and the Minister of Defence of Angola signed an agreement for a cessation of hostilities between all the belligerent forces in the Democratic Republic of the Congo. The representatives of the Rally for a Democratic Congo and the Movement for the Liberation of the Congo declined to sign.

3. The agreement stipulates that all air, land and sea attacks are to cease within 24 hours of the signing, as well as the movement of military forces and all acts of violence against the civilian population. The forces are to disengage immediately.

4. Other provisions of the agreement concern the normalization of the situation along the international borders of the Democratic Republic of the Congo, including the control of illicit trafficking of arms and the infiltration of armed groups; an open national dialogue between the Government of the Democratic Republic of the Congo, the armed opposition (Rally for a Democratic Congo and Movement for the Liberation of Congo) and the unarmed opposition; the need to address the security concerns of the Democratic Republic of the Congo

and its neighbouring countries; the opening up of humanitarian corridors; and the establishment of a mechanism for disarming all militias and armed groups.

Modalities and timing

5. The agreement also contains the modalities of implementation of the ceasefire. These provide for the establishment of a Joint Military Commission composed of two representatives from each party under a neutral Chairman to be appointed by the Organization of African Unity (OAU) in consultation with the parties.

6. The mandate of the Commission includes the following tasks:

(a) Establishing the location of units at the time of the ceasefire;

(b) Facilitating liaison between the parties for the purpose of the ceasefire;

(c) Assisting in the disengagement of forces to investigate any reports of ceasefire violations;

(d) Verifying all information, data and activities relating to belligerent forces;

(e) Verifying the disengagement of the belligerent forces where they are in direct contact;

(f) Working out mechanisms to disarm armed groups;

(g) Verifying the quartering and disarmament of all armed groups;

(h) Verifying the disarmament of all Congolese civilians who are illegally armed;

(i) Monitoring and verifying the orderly withdrawal of foreign forces.

7. The Commission is to be established within one week of the signing of the agreement (D-Day).

8. Other modalities dealt with in the agreement concern the cessation of hostilities; disengagement; the release of hostages and exchange of prisoners of war; the orderly withdrawal of all foreign forces; national dialogue and reconciliation; the re-establishment of state administration over the territory of the Democratic Republic of the Congo; the disarmament of armed groups; the formation of a national army; the redeployment of forces of the parties to defensive positions in conflict zones; the normalization of the security situation along the common borders between the Democratic Republic of the Congo and its neighbours; and a calendar for the implementation of the ceasefire agreement.

III. ACTIVITIES PROPOSED FOR THE UNITED NATIONS

9. The agreement also contains proposals for an "appropriate force" to be constituted, facilitated and deployed by the United Nations, in collaboration with OAU, to ensure the implementation of the agreement.

10. According to the agreement, the suggested mandate of such a force would include the following tasks:

(a) Working with the Joint Military Commission and OAU in the implementation of the agreement;

(b) Observing and monitoring the cessation of hostilities;

(c) Investigating violations of the ceasefire agreement and taking necessary measures to ensure compliance;

(d) Supervising the disengagement of forces as stipulated in the agreement;

(e) Supervising the redeployment of forces to defensive positions in conflict zones in accordance with the agreement;

(f) Providing and maintaining humanitarian assistance to and protecting displaced persons, refugees and other affected persons;

(g) Keeping the parties to the ceasefire agreement informed of its peacekeeping operations;

(h) Collecting weapons from civilians and ensuring that the weapons so collected are properly accounted for and adequately secured;

(i) In collaboration with the Commission and OAU, scheduling and supervising the withdrawal of all foreign forces;

(j) Verifying all information, data and activities relating to military forces of the parties.

11. The ceasefire agreement also envisages a number of what it calls peace enforcement operations, including the "tracking down" and disarming of armed groups; screening mass killers, perpetrators of crimes against humanity and other war criminals; handing over suspected _genocidaires_ to the International Criminal Tribunal for Rwanda; repatriation; and working out measures for attaining the above objectives.

12. The "armed groups" are identified as the former Rwandan government forces and _interahamwe_ militia, the Allied Democratic Front, Lord's Resistance Army, the Forces for the Defence of Democracy of Burundi, the Former Uganda National Army, the Uganda National Rescue Front II; the West Nile Bank Front; and the National Union for the Total Independence of Angola.

IV. OBSERVATIONS AND RECOMMENDATIONS

13. The conflict in the Democratic Republic of the Congo has inflicted further terrible suffering on a country already heavily burdened with poverty and neglect. An estimated 700,000 persons are displaced within the country, in addition to some 300,000 refugees located on its territory. The United Nations is aware of harrowing accounts of famine and epidemics. Food security and economic conditions, in particular in urban centres, continue to deteriorate at an alarming rate. The conflict has been characterized by appalling, widespread and systematic human rights violations, including mass killings, ethnic cleansing, rape and the destruction of property. The war's effects have spread beyond the subregion to afflict the continent of Africa as a whole. The success of the Congolese parties and the other Governments involved in arriving at a peace agreement can be viewed as a major first step towards an eventual recovery.

14. The international community and the United Nations should therefore do everything in their power to assist the Congolese Government, parties and people, as well as the other Governments involved, in achieving a peaceful solution.

15. In order to be effective, any United Nations peacekeeping mission in the Democratic Republic of the Congo, whatever its mandate, will have to be large and expensive. It would require the deployment of thousands of international troops and civilian personnel. It will face tremendous difficulties, and will be beset by risks. Deployment will be slow. The huge size of the country, the degradation of its infrastructure, the intensity of its climate, the intractable nature of some aspects of the conflict, the number of parties, the high levels of mutual suspicion, the large population displacements, the ready availability of small arms, the general climate of impunity and the substitution of armed force for the rule of law in much of the territory combine to make the Democratic Republic of the Congo a highly complex environment for peacekeeping.

16. In the light of the above, I would strongly recommend that the Security Council immediately authorize the deployment up to 90 United Nations military personnel, together with the necessary civilian political, humanitarian and administrative staff, to the subregion. The military personnel would serve mainly as liaison officers to the national capitals and rear military headquarters of the main belligerents, especially Kinshasa and elsewhere within the Democratic Republic of the Congo, Kigali, Kampala, Luanda, Harare and Windhoek, as well as a liaison cell at Lusaka. They would need appropriate communications equipment and air assets in order to perform their functions and keep me fully informed of the situation on the ground.

17. As a second stage, on the basis of the report of the technical survey team and of the liaison group, I would then be prepared to recommend a further deployment, which could involve up to 500 military observers within the Democratic Republic of the Congo and as required to the belligerent and other neighbouring States. It would also be necessary to ensure their security, and I would formulate my recommendations accordingly.

18. The tasks of the military observers, which would be in accordance with the peacekeeping functions listed in the agreement, would include the following:

(a) To establish contacts with the various parties at their headquarters locations, including in the capitals of the belligerent States;

(b) To establish liaison with the Joint Military Commission and collaborate with it in the implementation of the agreement;

(c) To assist the Commission and the parties in investigating alleged violations of the ceasefire;

(d) To make a general security assessment of the country;

(e) To secure from the parties guarantees of cooperation and assurances of security for the further deployment in-country of military observers;

(f) To determine the present and likely future locations of the forces of all parties with a view to developing the concept for deployment of United Nations military personnel;

(g) To observe, subject to the provision by the parties of adequate security, the ceasefire and disengagement of the forces and their redeployment and eventual withdrawal;

(h) To facilitate the provision of humanitarian assistance to and protecting displaced persons, refugees and other affected persons;

(i) To assist the Department of Peacekeeping Operations in further refining its concept of operations for subsequent deployments.

19. The Department of Peacekeeping Operations has already approached potential troop-contributing countries to assess their readiness to provide military observers and, ultimately, formed units for subsequent stages of deployment subject to Council approval.

20. I have also decided to appoint in due course a Special Representative, assisted by an appropriate staff, including a Chief Military Observer, to lead the observer mission, which shall be called the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC). I have also ordered the dispatch of a small advance team to the region to clarify the role to be played by the United Nations of the 10 July 1999 agreement and to establish contacts and liaison with the authorities in Lusaka. As soon as the conditions are in place to allow it to do its work in all parts of the country, I will send a technical survey team to the Democratic Republic of the Congo to make the necessary political and military contacts to pave the way for subsequent deployments and assess the state of logistical capacity in the mission area. The estimated costs of the advance and reconnaissance teams and of the liaison group will be submitted to the Council in an addendum to the present report.

21. The problem of armed groups is particularly difficult and sensitive. It lies at the core of the conflict in the subregion and undermines the security of all the States concerned. Unless it is resolved, no lasting peace can come.

22. A purely military solution appears to be impossible, if only because the forces most able and willing to impose a military solution have clearly failed to do so. I therefore intend to revert to the Security Council with detailed proposals for the deployment of a peacekeeping mission, including its mandate and concept of operations, once I have carefully reviewed the situation on the ground in the light of MONUC's reports.

23. At the same time, it is essential for the Congolese parties to proceed with their national debate, as provided for in the agreement, in order to work towards national reconciliation through dialogue among all groups concerned. For its part, the international community could then be in a position to convene an international conference on the Great Lakes region in order to secure the commitment of donors to the recovery of the region as a whole.

24. Even at this stage, however, I foresee the need for the establishment of a well funded, well planned and long-term programme for the disarmament, demobilization and reintegration into society of former combatants. The benefits of such a programme will need to be widely publicized in order to attract the fighters now under arms. I am encouraged in this respect by the provision in the ceasefire agreement that permits the countries of origin of members of armed groups to take themselves all the necessary measures to facilitate repatriation, including the granting of amnesty (except to persons suspected of crimes against humanity or genocide). It will also be necessary to include in the mandate of any eventual peacekeeping mission measures to address the human rights violations that have characterized this conflict. I will revert to the Council as soon as the situation has been clarified. The necessary first step will be the signing of the agreement by the two rebel groups, the Congolese Rally for Democracy and the Movement for the Liberation of Congo amid a renewed resolve by all concerned to carry it out in good faith.